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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Epstein et al.

Application No. 10/003,400

Filed: October 22, 2001

For: STEM CELLS THAT TRANSFORM TO

**BEATING CARDIOMYOCYTES** 

Examiner: Qian J. Li

Date: August 18, 2003

Art Unit: 1614

**CERTIFICATE OF MAILING** 

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on August 18, 2003 as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 150, ALEXANDRIA, VA 22313-1450.

Afine Carlson, Ph.D. Agent for Applicant

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97(c)

COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Listed on the accompanying form PTO-1449 and enclosed herewith are several English-language documents. Applicants respectfully request that these documents be listed as references cited on the issued patent. This Information Disclosure Statement ("IDS") is being mailed before Applicants received a final action, a notice of allowance, or an action that otherwise closes prosecution in the referenced application.

This statement is provided in compliance with 37 C.F.R. § 1.97(e)(1). The undersigned hereby states that each item of information contained in the IDS filed herewith was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. As a result, no fee should be required to file this IDS.

Applicants do not believe that a fee is required to file this IDS. However, please charge any fees which may be required in connection with filing this IDS to Deposit Account No. 02-4550. A duplicate copy of this sheet is enclosed.

The filing of this IDS shall not be construed to be an admission that the information cited in the statement is, or is considered to be, prior art or otherwise material to patentability as defined in Rule 56.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

Anne Carlson, Ph.D. Registration No. 47,472

One World Trade Center, Suite 1600 121 S.W. Salmon Street Portland, Oregon 97204 Telephone: (503) 226-7391

Facsimile: (503) 228-9446

## STATEMENT BY APPLICANT

Attorney Docket Number	4239-61090
Application Number	10/003,400
Filing Date	October 22, 2001
First Named Inventor	Epstein
Art Unit	1614
Examiner Name	Qian J. Li

		Examiner Name Qian J. Li		
Examiner's Initials*	Cite No. (optional)	OTHER DOCUMENTS		
	L	Lee et al., "Clonal isolation of muscle-derived cells capable of enhancing muscle regeneration and bone healing," J. Cell Biol. 150:1085-1099, 2000.		
	C	Seale <i>et al.</i> , "A new look at the origin, function, and 'stem-cell' status of muscle satellite cells," <i>Dev. Biol.</i> 218:115-124, 2000.		
		Yokoyama <i>et al.</i> , "Muscle derived stem cells mediated ex- <i>vivo</i> gene transfer to the lower urinary tract; comparision of viral vectors," <i>J. Urol.</i> Supp. 163:39-40, 2000.		
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EXAMINER	DATE
SIGNATURE:	CONSIDERED:

<sup>\*</sup> Examiner: Initial if reference considered, whether or not in conformance with MPEP 609. Draw line through cite if not in conformance and not considered. Include copy of this form with next communication to applicant.